

REMARKS

Claims 1-8, 10-13 and 19 are now pending in this application. Claims 1-8 and 10-13 are rejected. Claims 9 and 14-18 are previously cancelled. New claim 19 is added.

Applicants herein traverse and respectfully request reconsideration of the rejection of the claims cited in the above-referenced Office Action.

The following remarks supplement those presented in the Amendment after Final Rejection filed April 26, 2010, and are to be considered in conjunction with those remarks. While the arguments earlier presented in the Amendment after Final Rejection filed April 26, 2010 are not reproduced herein, applicants reassert them against the rejections of record, as against the claims not being further amended herein. Reconsideration on the merits is earnestly solicited.

New Independent claim 19 is added and is submitted as patentable over the cited art of record. Claim 19 recites subject matter directed to spring being mounted around a clamping rod between a clamping main body and a piston member, and a cam mechanism for driving the engagement portion of the clamping rod in a clamping direction roughly rectangular to the longitudinal direction of a clamping rod by a driving force of a piston driving mechanism driving the piston member to a first position corresponding to a clamping position of the clamping rod , wherein the cam mechanism is provided with a sphere or a roller rotatably mounted on a base end portion of the clamping rod, and in which an inclined portion is formed in the piston

member so that the sphere or the roller makes contact therewith, the inclined portion being inclined so as to press the sphere or the roller toward the clamping rod when the piston member moves toward a hydraulic chamber by the urging force of the spring which, among other features recited therein, is not believed disclosed in the cited art in the manner as claimed.

With regard to the prior rejected claims 1-8 and 10-13, applicants reiterate that, despite the fact that applicants presented detailed arguments in the Amendment after Final Rejection mailed April 26, 2010 pointing out perceived flaws in the Examiner's rejections of the claims, the Advisory Action fails to address each of the argued points of contention. Rather, the Examiner once again simply offers a conclusory (and, moreover, incomplete) statement that "Applicant's arguments the operational progression of the device as sequentially diagrammed by Dasser is different from that of Applicant's apparatus is not convincing since the elements as claimed are satisfied by Dasser," without any allegation of substantiation or support by disclosure in the cited references pointing to elements and their functions that would counter the applicants' analysis set forth in the prior amendment. Additionally, such statement clearly ignores that applicants' arguments are based upon structural distinctions, for example, noting the recitation of "a spring for urging the piston member to the first position corresponding to the clamping position of the clamping rod," and not simply "the operational progression of the device as sequentially diagrammed." As was pointed out by applicants, it is applicants'

contention that the spring 4 of Dasser is not structurally configured for “urging the piston member to the first position corresponding to the clamping position of the clamping rod” as claimed, but instead is structurally adapted to operate in a precisely opposite manner, resisting movement of the clamping arm 3 in a direction of clamping brought about by reason of the pneumatic pressure C. The Examiner has not attempted to provide any evidence whatsoever to rebut that applicants’ position in this regard is erroneous. Therefore, it is respectfully submitted that the Examiner has failed to meet his burden in upholding the rejections, and reconsideration and withdrawal of all claim rejections of record are respectfully requested.

A Request for Continued Examination in which applicants request a one (1) month extension of time is filed concurrently herewith, along with a Request for Suspension of Action (3 month).

No fee is believed due. If there is any fee due the USPTO is hereby authorized to charge such fee to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,
JORDAN AND HAMBURG LLP

By Frank J. Jordan by:
Frank J. Jordan
Reg. No. 20,456
Attorney for Applicants
and,

By Lawrence I. Wechsler
Lawrence I. Wechsler
Reg. No. 36,049
Attorney for Applicants

Jordan and Hamburg LLP
122 East 42nd Street
New York, New York 10168
(212) 986-2340

enc.: Request for Continued Examination; and Request for Suspension of Action.